Mr. C. O. Madhavan: Sir, it is not humanly possible to be free from accusations of inaccuracy in answering questions of this nature.

Mr. Nedumangad R. Kesavan Nair: Sir, I am not interrupting the Chief Secretary. I asked a question about the proficiency of the Director of Information in piano tuning. The answer given was not at all satisfactory.

Mr. C. O. Madhavan: Other instances could not be shown to prove the inaccuracy of the answers given by Government. I may inform the House that the Government never give inaccurate answers intentionally or knowingly.

The Demand was then put to vote and carried and the grant was made.

DEMAND No. XIV—PUBLIC SERVICE COMMISSIONER.

Dr. G. D. Nokes: Sir, I beg to move for a grant not exceeding Rs. 24,781 under Demand XIV—Public Service Commissioner.

Mr. G. Narayana Aiyar: Sir, I oppose the Demand. This department was formed towards the close of 1111 and it had been in existence for 2 years. This establishment was sanctioned originally for two years. That period has expired. The Government should have considered the results achieved in the course of the 2 years and considered whether there is any need to continue the same and the same staff. It seems to me that it is not necessary to continue the same at this expensive scale. The present Commissioner, a very competent officer was got down and appointed for a special purpose namely for the Judicial Department and he was discharging his duties very satisfactorily there. He was then appointed as Public Service Commissioner on special considerations. He has drafted the necessary rules which were approved and passed by the Government. The Service Recruitment Manual was prepared. Necessary forms were printed. Examinations for public service were conducted and has practically done everything necessary for the recruitment for public service in future. A number of candidates have been declared passed from which future recruitments could be made and the recruitment business may be entrusted to departmental heads with directions to act up to rules and policy laid down by Government. There is no more necessity to have the services of such a high-paid and full-time officer in this department. His services are badly required for the Judicial Deparment for which he was got down and he may be sent back to

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. G. Narayana Aiyar.]

his permanent place as a judge of our High Court. Having completed the preliminary and necessary work, is there any necessity to continue such a deparment for the purpose of recruitment since this can be managed if necessary by the appointment of a Staff Selection Board consisting of a few competent officials and non-officials to be selected from all communities if such a course is necessary ? It is enough if such a board is constituted and the present officer may, if necessary, be asked to preside over the meetings of the Staff Selection Board which may be directed to meet quarterly. It is time for the Government to take this into consideration, reduce the expenditure and if necessary appoint a Staff Selection Board which can be asked to meet whenever necessity arises. If the Government think that the services of Dr. Nokes are necessary for this purpose, he can be asked to preside over the Board meetings. He has done his work satisfactorily and laid down rules for the future.

Mr. K. R. Elenkath: May I know whether the Staff Selection Board referred to by the honourable member should consist of representatives of all communities ?

Mr. G. Narayana Aiyar: I would say that if need be, a communal representative board may be constituted, consisting of officers and non-official members. The Staff Selection Board would be useful in any way. It may be necessary to make the selections from all communities. In this connection I have also to bring to the notice of Government that they have cut down the powers of certain officers to make acting appointments even for a short period of one month by their G. O., dated the 10th Dhanu 1113. For instance, the High Court Judge, the District Munsiff, the Second Judge, the Tahsildar, for the satisfactory disposal of their executive work it is highly necessary that these officers are given power at least to appoint clerks, peons, etc., temporarily for a period of one month or less. They were exercising those powers for the last many years and there were very few cases of complaint. Now that power is taken by the G. O. referred to above. In practice it is found very difficult to get on satisfactorily with the administrative work in the case of certain departments by the removal of this power. It seems doubtful whether the various departmental heads were consulted before the issue of the said order as to its probable effects in the satisfactory working of the departments. Under the present rule the head of the department has to inform the Public Service Commissioner about a vacancy which often occurs without previous notice. The Public Service Commissioner or the other responsible officer naturally takes some time

LIBRARY ARCHIVES Kerala Legislative Assembly

to select a suitable candidate to be appointed in this place. But when the candidate so chosen by the Public Service Commissioner is inforined and he joins duty, the period of the vacancy terminates or is about to terminate. This, I submit is a very difficult state of affairs and this requires re-consideration by the Government at an early date. Even the High Court Judge is not at present able to appoint a peon for one month at least. Imagine the difficulty or the inconvenience which an officer in the position of an High Court Judge will feel for want of such power say for instance in appointing a peon. This was never considered by the Government before the issue of the order in question. This order interferes seriously with the proper functions of the departments concerned. Therefore, I submit that this power should be restored to the officers at an early date.

I have also heard complaints from typists and clerks in the Judicial Department that their claims were overlooked in the matter of promotion. Sir, it would be advisable to inform them on what grounds their claims are not considered so that they may be satisfied. With these few remarks I oppose the Demand.

Mr. T. Mahomed Ismail : Sir, I have nothing to say against the fair-minded, honest and impartial officer presiding over the department. But I have lot of complaints about the Public Service Recruitment Rules which have been changed, added and amended every day, so much so, that no body knows where to begin and where to end. The appointment of the Public Service Commissioner was the result of a continuous agitation for imparting equal opportunities to all communities in public services. The present recruitment is based upon the rules framed in this behalf. By this time the people have become more or less familiar with the operation of the rules. The results are highly disappointing to the backward communities in spite of certain concessions embodied in the original Government Order regarding recruitment to the Public Service. Of the three divisions I would leave aside the Higher Division, recruitment to which has not yet begun.

Taking the Intermediate Division, I shall point out some fundamental defects in the rules. No doubt, 40 per cent. of the appointments are reserved for the members of the backward communities. But the actual recruitment shows that this ratio is not maintained. The Administration Report for 1112 will justify my remarks. This is due to the practice of selecting a large number of candidates for a certain period while a small number of vacancies only occur and the 40 per cent. list will be taken up only after completing the 60 per cent. list. I would illustrate this by an example.

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. T. Mahomed Ismail.]

Suppose 200 candidates are advised for recruitment within one year, and suppose there arises only 50 vacancies. Then Sir, not a single candidate from the 40 per cent. list will be absorbed. Therefore, the operation of the new recruitment rules is a penalty for the backward communities since their chances are indefinitely postponed.

Again, the basis of selection is by a process called selective test. It appears that 70 per cent. of the marks is reserved for qualification in the examination and 30 per cent. for the acting service and community. In practical experience efficiency has nothing to do with this so called test. Suppose a Brahmin and a Pulaya, both of them graduates, stand as candidates for a particular post. Both of them have got the same marks, or the Pulaya candidate has 5 marks more than the Brahmin. Then comes the question of acting service. Unfortunately the Pulaya might not have any acting service to his credit, while the Brahmin, having some god-father, might have acting service. That this is the fact will be clear when we remember that a considerable number of acting hands belong to forward communities. If this is the state of affairs the Brahmin will surely get the post, for, out of the 30 marks reserved for the acting service, he may get 15 or 20 marks. It may be said that the Pulaya will get a certain poprortion for community. But from what we have actually seen from the appointments, the marks alloted for 'communities' are invariably less than those alloted for acting services. I am only showing one instance of a candidate who has got acting service and who is appointed inspite of the fact that he gets only a lower number of marks in examination This shows that the contension that the selective test decides efficiency is absolutely meaningless.

Another serious handicap is the excessive qualifications prescribed for the appointments under the rules. Before these rules came into operation, ordinary graduates were entertained as teachers. Now the rule imposes training qualifications also. So the candidate is under the mercy of the Education Department to get himself trained. If only he is in the department could there be the chance of his being selected for the training course. Thus we cannot enter the department without training and we cannot get ourselves trained without entering into services. This is the anomalous position. Again take for instance, the technical qualifications prescribed for tracers and draftsmen. It is stated that they should get themselves trained. Who is to give them the training? Those who have no god-fathers to back up will not get the training and thus the backward communities will find it difficult to qualify themselves for these jobs. There is another fine example. For the

LIBRARY ARCHIVES Kerala Legislative Assembly

Hospital Warden's place two qualifications are necessary, literacy and hospital experience. So far as literacy is concerned, it is alright. What about hospital experience? It is only after getting some job in a hospital that you can gain experience. And unless we get the experience we cannot apply to the Public Service Commissioner for a job with the result that we cannot get a job in the hospital.

Mr. M. K. Ananthasiva Aiyar : Why can't they go to some private hospitals and get training?

Mr. T. Mahomed Ismail ; Sir, when the Government themselves cannot provide some jobs for us, it is too much to expect private hospitals to help us.

In this connection let me bring to the notice of the Government how their of quoted slogan that "other things being equal preference will be given to the backward communities," works adversely inspite of the Public Service Commissioner. Of course, he is helpless. The so-called 'other things', such as training, acting service etc., of which I have stated, will stand in our way. Think over these 'other things' and you will know how injustice is done. So I ask the Government, why not the Public Service Commissioner have a hand in maintaining the ratio in the matter of selecting candidates for such training also?

Sir, one word with regard to the question of promotion and confirmation. It will be clearly seen that these are questions incidental to recruitment. If the work of recruitment to the Public Service can be entrusted to an honest man, as in the case of the present Public Service Commissioner, why not entrust the question of promotion and confirmation also to him?

Instead of abolishing this post, as suggested by Mr. Narayana Aiyar I would request the Government to give him more power and take away the powers entrusted with departmental heads in the matter of recruitment to public service. Then it will help him to carry on the work more effectively and the backward communities will thereby get their grievances redressed. Sir, my view is that a thorough overhauling of the rules is absolutely necessary so that justice could be done to all alike and the backward communities may get fair representation in public service.

Mr. K. K. Kuruvilla : Sir, considering that some communities in the State are inadequately represented in the public service and with a view to redress the grievances of such communities, Government have laid down certain rules to remedy the situation. We desire to emphasise the need for adhering to the strict letter of

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. K. K. Kuruvilla.]

that communication. Therefore, we request that that order be strictly adhered to.

I also desire to bring to the notice of the Government the promise of the Land Revenue Commissioner made about an year ago that a definite scheme will be framed and put through to afford speedier representation of the un-represented communities in the category of the Proverthicars. But nothing is known to have been done in that line so far. I desire to make clear the urgent need for putting through this scheme in accordance with the promise. Since we know that that Government order shall stand temporarily, my party does not wish to discuss it further.

Mr. M. Govindan : May I know whether he is in favour of the extention by one year, recently amounced by Government, of the period of the Public Service Commissioner ?

Mr. V. S. Arumukham Pillai (*Tovala cum Agastiswaram*) : Sir, I may submit at the very outset that the Government are now doing their level best to see that the various communities are adequately represented in the Public Service. But at the same time, I have to submit that, so far as the Vellala community is concerned, it is inadequately represented. Sir, I would not have wished to speak about this had it not been for a statement made elsewhere by a responsible member of the Legislature and I am much aggrieved to hear that the Vellala community is over represented in the public service. Sir, it is a false statement deliberately and falsely made.

Mr. M. Govindan : What about the figures in the appendix ?

Mr. V. S. Arumukham Pillai : Sir, I beg to submit that it is a statement made falsely and deliberately. I may also submit.....

Mr. M. Govindan : Sir,.....

Mr. V. S. Arumukham Pillai : I don't yield Sir.....

I may also submit with certain amount of pride that, from time immemorial, this community has been most loyal and law-abiding up to the present day. Of all the communities in the State this is the one important community which has been loyal from time immemorial and quite law-abiding. This community is suffering from serious disabilities. In the first place, it is this community which bears the heaviest land tax. Of all the communities this is the one which contributes the largest share to the coffers of the State. Under such circumstances, I may draw the particular attention of the Government to the urgent necessity for satisfying the demand of this community. Sir, I said at the outset that the demands of other communities where satisfied but not of

LIBRARY ARCHIVES Kerala Legislative Assembly

this community. This is due to the fact that in the matter of recruitment to public service this community is rather the least vociferous; they do not make any noise and that is the only reason why this community is entirely ignored by the Government.

Sir, with regard to the suggestion made by Mr. G. Narayana Aiyar for the abolition of the post of the Commissioner and the introduction of a Staff Selection Board, I submit that it is quite inadvisable in view of the conflicts among the various communities of the State. At this juncture, it is not advisable to have a Staff Selection Board in the place of the present Public Service Commissioner. I submit that it is advisable that he should be retained as long as possible.

With these few words, I resume my seat.

Mr. P. I. Simon: Sir, I support the demand. It has been so far our hard lot to hear about communal representation. The discussion of this question is not to be heard now except from a solitary member Mr. Narayana Aiyar. There is no advice to change the G. O., there is no advocacy for deleting the clause 'other things being equal,' etc.

Mr. T. Mahomed Ismail: (Not heard).

President: The Chair is not able to hear all these frequent dialogues.

Mr. P. I. Simon: Sir, I am saying that there is no advocacy to change the rules from that quarter, I mean the old Samyuktha Party which has now got transformed into another party altogether. Although the majority of that Party still are those who side with the ideals of the old Samyuktha party, they have now found it convenient to agree to the wishes of one or two new recruits of that party. Even these two recruits, it is well known belong to the overrepresented communities in Travancore Public Service. It is very much according to their wishes that Mr. Kuruvilla the leader of the party said that the G. O. may be retained at least temporarily.

Mr. Nedumangad R. Kesavan Nair: Is it proper for the member to say that the conduct of one honourable member was actuated by the advices given by the other members?

President: Certainly.

Mr. N. V. Chacko: When the devil himself does not know other's thoughts, how is it that the member was able to glean the thoughts of others?

President: Presumably the honourable member does not associate himself with that personage; that is why he is not able to read the thoughts of others. (*Laughter*)

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. P. I. Simon: Some how or other, the plea for communal representation, which has been voiced so loudly, is now absent and people have learned to submit to the G. O. and the rules framed thereunder. Sir, the administration of the G. O. and the rules is done by one of our best officers. He is retained on account of the reason that to him the Nair, the Brahmin, the S. I. U. C. and all the backward varieties of human beings are alike. He is the best man for the purpose and he is efficiently administering his department and there could not be any demur to the opinion that I have propounded. Coming to the question of representation in the Public Service, Sir, the unrepresented communities ought to be appointed as far as possible with reference to efficiency. Efficiency ought to be the first criterion for appointment to the public service. I am sorry that I have to say that communalism is fast getting hold of our services. I do not say that is entirely due to the anxiety on the part of the Government to give full recognition to the claims of the under-represented communities; it may be due to that; it may be due to something else. But I would request the Government to see that our service is retained with the maximum efficiency possible It is gratifying to note that Government propose to bring into effect a Civil Service Examination; and I hope that that will give us really efficient men to occupy our official benches.

With these words I support the demand.

Mr. K. R. Elenkath: Sir, I also support the demand

In regard to the need for a Staff Selection Board I do not see eye to eye with Mr. G. Narayana Aiyar. If he believes that the present Rules are satisfactory I cannot see why, instead of a single individual we should have three or four to work the Rules. All that need be done is for the Commissioner to adhere to the Rules strictly. As regards the present Public Service Commissioner I endorse every word and sentiment given expression to by Mr. Simon. What I would suggest is that we should try ths present arrangement for the full period for which it was originally intended to be tried, before we suggest any change in the Rules or in the office. I was really surprised to hear Mr. Ismail complaining that the Rules had been amended, and are being interferred with very often.

Mr. T. Mahomed Ismail: I have only to refer the honourable member to the Government Gazette.

Mr. K. R. Elenkath: I am surprised at my friend himself making suggestions for amending the Rules even before the trial period. I submit the Rules have to be tried for the whole period fixed in the G. O. To alleviate suspicion on the part of some that

LIBRARY ARCHIVES Kerala Legislative Assembly

the Rules are not being strictly adhered to, I think it would be advisable to publish in the Gazette, every time an appointment is made, all particulars about the appointment including even the name of the person appointed and his rank in the list.

Mr. T. Mahomed Ismail: Is it the honourable member's view that the Rules do not require any modification?

Mr. K. R. Elenkath: Not for the present, anyhow, for the simple reason that, if Mr. Ismail wants a particular change another honourable member of the Brahmin or Christian or the Ezhava community may oppose that suggestion and in turn stiggest something else ; my friend may urge for communal representation on the population basis, and another honourable member may emphasise efficiency, and a third may ask for territorial representation. It is too early now to think of modifying the Rules.

Sir, I would like to take this opportunity to draw the attention of the Public Service Commissioner to the treatment now accorded to the undergraduates It is generally understood that, for three graduates, one undergraduate will be recruited. I doubt very much whether this rule is being strictly adhered to especially in the departments of Agriculture, Industries, Co-operation, and also some other departments where practical training and experience are the things that really count. Sir, in these departments, the claims of experienced undergraduates are being ignored. I think it will be appropriate here to read a passage from the speech made by the Dewan in reply to the deputation of the members of the old Samyukta Party, on the 9th January 1938:—

> ".....Do you want a man to be appointed merely because he is a graduate?.....that the fact that a person is a graduate is no proof of his character; on the other hand it takes away the character of the man.....Moreover, many graduates are lacking in general knowledge and a *viva voce* test will be useful."

Sir, it is a fact that the claims for promotion of undergraduates of long experience are being ignored. It is true that the departmental heads are allowed to give promotions, recruitment being made by the Public Service Commissioner only to the last vacancy. But in many cases the departmental heads shirk their responsibility and get appointments made by the Public Service Commissioner even in cases where they could have promoted undergraduates already in service. This is really very hard.

It has been accepted that *viva voce* is better than any other test. I am surprised how initial appointments are being made without the Public Service Commissioner having even a look at the person he is appointing. There is no knowing whether, by

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. K. R. Elenkath]

strictly adhering to his list, he might not appoint a disabled person, one who is lame, physically unfit for service ; and medical examination is not necessary in all cases. I would therefore suggest *viva voce* test being insisted upon for lower appointments also.

Mr. M. S. Anirudhan (*Karunagapalli, Kartikapalli and Ambalapuzha* cum *Shertala*) : Sir, it has been pointed out by Mr. Simon that this year there is not much clamour for communal representation ; evidently he refers to the attitude of the State Congress Party some of whom, while they were members of the old Samyukta party, were making much clamour last year, but are now keeping quiet. Sir, there has been clamour for communal representation from many members of the House this time also, and I do not think it will cease for another 20 or 25 years. Because, going through the figures given in the Administration Report of the Public Service Commissioner it is clear that none of these communities, which are under-represented and which were clamouring for communal representation, is getting its grievances adequately redressed. There is no doubt that the position is getting better. But my point is that these communities do not get adequate relief. Some time back a memorial was presented by the Samyukta party suggesting some modifications to the Public Service G. O. ; and if I remember right, the head of the administration conceded some of our points and made certain promises. I do not know how far those promises have been carried out.

Coming to a specific instance, under the present G. O., the Revenue Accountants, Proverthicars and the vast majority of school masters, although by virtue of their pay they would come only in the lower division, have been taken over to the intermediate division where only 40 per cent. of the appointments go by communal rotation. The deputationists urged before the Dewan to change that arrangement and to bring down those appointments also to the lower division so that the under-represented communities will get a greater share of those appointments also. I do not know what has been done as a result of that representation which we made.

The need for an Advisory Board was also pressed since there was some complaint in some quarters that their claims were not being adequately recognised. Unfortunately, the present Public Service Commissioner does not know the real conditions in Travancore. That was why we suggested the constitution of an Advisory Board to advise the Commissioner.

Another suggestion that we made was the need for periodical publication, twice, thrice or four times a year.....

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. Kochikal P. Balakrishnan Tampi: Is the honourable member referring to the suggestions made by the defunct Samyukta party?

Mr. M. S. Anirudhan: No. I am speaking of the defects of the present G. O., and in so doing I am referring to the suggestions made by the memorial put in by the Samyukta party.

Mr. K. R. Elenkath: Is it the view of the honourable member that the Government should accede to the wishes of only those persons who agitate?

Mr. M. S. Anirudhan: Certainly not. We do not want to appropriate the legitimate claims of anybody else. We want inequalities to be set right. We want justice to be done to all. We have placed our grievances before the Government.

Mr. K. R. Elenkath: Are not the present rule intended to satisfy such grievances as far as possible?

Mr. M. S. Anirudhan: I do not concede that the present rules have gone to the extent necessary for adequate redress of our grievances. That is why I say that the Rules require amendment. There are many communities who are not satisfied with the present G. O.

Mr. V. S. Arumukham Pillai: May I know the names of those communities?

Mr. M. S. Anirudhan: I do not yield, Sir.

In regard to the higher division also, the present G. O. does not make it obligatory on the part of the Government to follow the principle of communal representation. In this connection, I may bring to the notice of this House that, very recently, when chance of the Ezhavas came up, the principle of communal rotation which was being followed in the recruitment of Munsiffs, was put a stop to.

Mr. V. S. Arumukham Pillai: Is the honourabla member aware that, very recently, an Ezhava Munsiff has been appointed?

Mr. M. S. Anirudhan: I do not yield, Sir.

My plea is that, in the higher division also, communal representation, I say on population basis, must be adhered to, if the Government really mean to do justice to the communities which have been kept out of service for such a long time.

The House rose for lunch at 1 P. M. and reassembled at 2 P. M.

NEW MEMBER.

Mr. P. Parameswaran Pillai took the oath and signed the rolls.

LIBRARY ARCHIVES Kerala Legislative Assembly

DEMAND XIV—PUBLIC SERVICE COMMISSIONER—(*contd.*)

President : I am afraid I can give only five minutes more to the honourable member and five minutes to the other honourable members.

Mr. M. S. Anirudhan : Sir, I was at the question of direct appointments made by Government. In spite of the G. O. on the Public Service Recruitment, the Government have reserved to themselves the right of appointment and it is here that the Ezhava community has been most hard hit. You will bear with me, Sir, if I say that in the appointments made by Government in recent times the Ezhava community has been totally ignored. In this connection I may point out some of the appointments made by Government. I shall confine myself to the recruitments made from the Bar. Four or five Magistrates have been recruited from the Bar. I ask you, Sir, is there any single Ezhava from the bar who was recruited as Magistrate. Do you mean to say, Sir, that there are not candidates available from the Ezhava community for recruitment as Magistrates? There were days when there was dearth of men in the community, but now fortunately there are enough men in the community available for recruitment as Magistrates. Again, as Conciliation Officers several people have been recruited from the Bar but unfortunately it has not fallen to the lot of any member of the bar belonging to the Ezhava community to be appointed as a Conciliation Officer.

Mr. K. R. Elenkath : I rise to a point of order. The demand before the House refers to appointments made by the Public Service Commissioner, but the honourable member is referring to appointments made directly by Government without reference to the Public Service Commissioner.

President : The honourable member will proceed.

Mr. M. S. Anirudhan : Again, in the last reorganisation of the Excise Department two members from the Bar have been recruited as prosecuting Inspectors, but unfortunately there also the representation of the Ezhava community is nil. There have been several appointments as Assistant Secretaries, Law Member, Judges and as other officers and in none of these instances has the claim of the Ezhava community been considered. Sir, I must not be misunderstood when I say that these circumstances have created a strong feeling in the minds of the Ezhavas that their claims are not recognised. There is the feeling in them that they are ignored in these matters. Sir, there is a feeling among them that they do not get justice in these matters. Thereby I do not mean to say, Sir, that I attribute any partiality or any motive to Government. I only refe-

LIBRARY ARCHIVES Kerala Legislative Assembly

to facts and these facts will convince you, Sir, of the inequality of the Ezhava community in the matter of representation in the Public Service.

In this connection, Sir, I may bring to your kind notice that the Ezhava community is a community which deserves the patronage of Government. If there is any community in the State which to-day deserves patronage in appointment to public service it is the Ezhava community. But we do not plead for any patronage. We want only justice and nothing but justice from the Government.

Mr. M. K. Ananthasiva Aiyar (*Nominated*) : Sir, I support the demand. In doing so, I beg to bring to the notice of the House and of the Government the case of one section of the Brahmin community which is most ill-represented in Government service. For the purposes of recruitment to Government service I am surprised to see why there should be no distinction between man and woman. Men have been over-represented in public service till this moment. Why should not we look to the claims of women also? So, I would say that for purposes of recruitment there should be a separate classification of women and among them the most unrepresented community will be found to be the Brahmin women. I would argue their case and suggest that the recruitment rules should be so modified that Brahmin women also may find a place in the public service.

Mr. M. S. Anirudhan : May I know from the honourable member whether there have been any applications from Brahmin women for appointment?

Mr. M. K. Ananthasiva Aiyar: Yes. There are B. A., L. T.'s and Honours graduates among Brahmin women. There are only four Brahmin women graduates now available. It is with considerable difficulty that the community persuades its women to go to school. So, it will only be an incentive to this community to send their girls to colleges freely.

Then the next thing I would refer to is the question of direct recruitment to the higher grade of public service.

President : That is not in order.

Mr. M. K. Ananthasiva Aiyar : I sympathise fully with the unrepresented communities in so far as their entertainment in the public service is concerned. But in regard to promotions, I would submit that they ought to be strictly on efficiency basis. Now we see that in almost all cases promotions merely depend upon the service alone and not on efficiency. This tells very much upon the efficiency of the higher grade of officers. I am really ashamed to say that there are among the superior grade of officers in the State

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. M. K. Ananthasiva Aiyar.]

persons who, if I may be allowed to say, may be stated to be inefficient. This case of inefficiency could be avoided only if promotions are made on the ground of efficiency and efficiency alone. With these words, I support the demand.

Mr. Kottur Kunjukrishna Pillai: Sir, I wish to offer a few remarks on this question. At the time when the Public Service Recruitment Rules were framed and the Public Service Commissioner was appointed I hoped and the Government had the hope that by that they will be giving a quietus to the agitation for communal representation and the clamour for appointments on the basis of numbers of communities. Sir, the whole question was sought to be revised or looked into after the lapse of three years and necessary modifications effected on the result of the working of these rules. Those three years will be lapsing very soon and I think that without considering the effect of the working of these rules, further extension should not be given. Sir, it was pointed out on various sides that the present working of the recruitment rules is not to the satisfaction of the various communities due to various reasons. The one principle on which the Public Service Recruitment Rules were promulgated and the Public Service Commissioner was appointed was that by that Government will be able to secure harmony among communities and thus they will give a quietus for this agitation for communal representation. Looked at from that standpoint what has been the result of the appointment of the Public Service Commissioner and the working of the Recruitment Rules. Sir, the clamour and the agitation, instead of subsiding, have only increased with the working of the Public Service Recruitment Rules. That is a fundamental fact that Government will have to take into account. Whatever else the operation of the Public Service Recruitment Rules might have achieved, I am emboldened to say that it has not achieved this, namely, it has not lessened the clamour for appointments and it has not increased the cordiality between communities. If that could not be achieved by these rules, what is the purpose of punishing a community merely because it had the misfortune to have been over-represented beyond their numbers when the question of numbers was not the criterion for recruitment?

Mr. M. Govindan: May I know from the honourable member whether a little healthy rivalry between communities may not make for more efficiency?

Mr. Kottur Kunjukrishna Pillai: Sir, I do not agree to the statement of the honourable member that the rivalry that subsists is healthy, first of all, and I do not suppose that this sort of rivalry and this sort of clamour will conduce to the proper functioning of the public service. I deny both those assumptions and

LIBRARY ARCHIVES Kerala Legislative Assembly

the question put forward by my friend I answer in the negative and say that it does not improve the feeling of cordiality between communities and that it is not conducive to efficiency. It has not conduced to effect satisfaction to the various communities and further attempts are made for in roads. I am one who believes, Sir, that whatever else this might bring up, this will not be the method by which there will be peace and concord established and efficiency of the departments effected. On that point I have no doubt. Sir, if that could not be achieved, then what is the meaning of sacrificing the time and energy of such an officer, as Dr. Nokes. It has been found that it has not created any feeling of goodwill. The appetite has only increased with the supply that Government were making with regard to the lower grade. For instance, in the case of the Nair community they are entitled on the basis of population to as much representation as the Ezhava community, but they are given only half of what they deserve. On what principle can such a thing be justified, I ask. Suppose for historical reasons the Nair community has been over-represented because in the Devaswom Department certain communities were prevented from entering into service, or for other historical reasons, they have been found to be over-represented and when you introduce a principle of representation on the basis of fecundity, you may find that a particular community on account of the then existing circumstances are over-represented owing to a new principle on the basis of which you now look. Now, they are allowed only-half of what others are given. I think that under no circumstance it can be justified. Are the people of this generation to be punished for the past generation being over represented. Sir, I would call it expropriation. If you accept the principle of population for recruitment, all right. But it is only from the moment you accept that principle that you can give effect to it and not retrospectively. And that has been the representation even of people who have been agitating for communal representation like my friend Mr. Govindan and Mr. Kunjithommen and various other people who made the proposal in the Public Service Recruitment Committee that recruitment may be made from that date on the basis of population. Even that principle has not been accepted by Government, Government went a step further and wanted to give more satisfaction to the communities that clamoured. But even that has not given satisfaction to those communities. It has been effective only in this way. It has whetted their appetite and they are asking for more.

Therefore, the whole question has to be revised and looked into. On that point, I think, we are all agreed. Sir, even the leader

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. Kottoor Kunjukrishna Pillai.]

of the State Congress is not satisfied with the present arrangement. I have heard the leader of the State Congress asking several times elsewhere whether the Nairs are not people who are living in this country and I ask the question again here and say that they should be given equal treatment with other communities. We are not crying for any privilege or for any favour but we are asking to be treated as other communities. We are asking you that the people of this generation should not be punished for the representation got by the people of an earlier generation. I think we have a right to demand that.

Mr. M. Govindan: Sir, I was listening to the speech of my honourable friend Mr. Kottur with admiration. For eloquence it yields no other speaker in this House. But I am sorry I am not able to agree with him regarding the substance of his advocacy. In the first place the fervid portion of his speech was a strong apology for *status quoante* unimpaired. He was very careful to say that for the sins of a former generation the present generation should not be punished. But I ask my friend whether he has scrutinished the figures to understand the real position in the case of Lower Division appointments which he was emphasizing in particular I am sure he has not taken pains to find what proportion of appointments is held by the Nair community in the lower division. The fact is that it is almost a monopoly of one community to possess those appointments. When that was found by the Government, they took care to see that in determining the proportion of future recruitment, with a view to equalise the numbers for two communities, the proportion of lower grade appointments given to Nairs may be reduced to a certain extent. For every five appointments in the Nair community there will be nine Ezhavas. As a matter of fact the Ezhava is not having one-hundredth of the appointments held by the Nairs. That is the real state of affairs in the matter of actual representation and therefore with a view to equalise the share, the present ratio was fixed. And what is the result. Even the present ratio, the figures given by Dr. Nokes in his report, shows that there is no sufficient reduction and the grievance remains where it was. Although I cannot say that the Ezhava does not get any representation at all, I have to say that the representation of Ezhavas so far as the lower division is concerned is quite inadequate. After all these are only crumbs, and that for very small appointments.

When we come to the intermediate division let us see the state of affairs. The disparity that was already existing in respect of that division is still being maintained. A perusal of the figures will show that out of three appointments to Nairs, one from the Ezhava

LIBRARY ARCHIVES Kerala Legislative Assembly

community is preferred. Then can it be said, as Mr. Anirudhan pointed out, that there are no qualified hands among the Ezhavas. The fact is that there was long service men and they have to be recruited. There is a long list in connection with that. And that list contains Nairs, who are long service men. From this long list, recruitments are made and still that long list is not exhausted. My friend Mr. Kunjukrishna Pillai wants that the rules relating to Public Service should be scrapped. The glaring inequality existing in the matter of recruitments have been attempted to be solved by the present rule. But the attempt has not succeeded yet to any considerable extent. Yet the rules are sought to be scrapped. I cannot understand the position at all.

Now, efficieny has been trotted out as a sort of answer to the monopoly. I say that efficiency is not the monopoly of any particular class. I am sure it will be found if there is a fair representation of all communities in the Public Service, instead of the monopoly of one community or two, there should be a healthy rivalry as I pointed out in answer to a question. That rivalry will lead to more efficiency. After all, what is the test that we are asking to set up. It is all a question of literary test. That literary test is dependent on money. In the matter of holding offices, sympathy and well-balanced mind are essential factors for achieving success. No success in *viva voce* test will yield that result.

Then Dr. Nokes has asked for a sum of Rs. 24,000. In my opinion he deserves even much more. There are two or three places in the report which goes to show that the rules could not be worked out successfully because of the understaffing in his department. There has been over-working by his staff in fact and on account of the under-staffing, the rules have not been worked out. The question of staffing an office is a very important matter. If proper staff is given, I am sure, this complaint may not have to be repeated next year.

One word with regard to the Staff Selection Board suggested by Mr. Narayana Aiyar. His idea was that a person like Dr. Nokes need not be continued as a full-time officer if there is a Staff Selection board. My point is that in the circumstances of this country where there is so much of scramble for appointment there is necessity for a person like Dr. Nokes who is well-known for his impartiality. The existence of a person like him is inevitable in Travancore, if ever the Staff Selection Board comes into being, I would recommend that a small Advisory Board may be set up so that more confidence may be restored in the impartiality of the administration of the office of the Public Service Commissioner.

LIBRARY ARCHIVES Kerala Legislative Assembly

Dr. G. D Nokes : Sir, it is gratifying to find that there has been no serious opposition to the continuance of the Public Service Recruitment Rules, with the exception of Mr. Kottur Kunjukrishna Pillai. I do not wish to say anything which could increase hostility or ill-feeling between communities but I think it necessary to remind him that the opposition which has been shown to these Rules emanates from a community which in 1110 held 60 per cent. of the appointments in the Public Service, and that the so-called penalisation (an unfortunate word) of that community relates only to the reduction of their numbers in the rotation in the lower division. The Rules in question are a compromise, as stated in the G. O. but do not penalise any community. With regard to the Intermediate and Higher divisions, all the communities who were over-represented in the Public Service when the Rules came into operation still have considerable opportunities in the intermediate Division in that they may obtain 60 per cent. of the appointments which are open to unrestricted competition.

In regard to the statement made by two honourable members as to the continuance in office of the present Public Service Commissioner, I wish to say, without any reference to matters which may be described as personal to me, that there appears to be a misapprehension. The original Government order, which was passed 3 years ago, provided that the rules should be worked for a period of three years and then reviewed. The Public Service Commissioner was then appointed in office for 3 years. But the rules did not come into operation till about 2 years ago, owing to the necessity for collecting information, framing the Rules themselves and supplementing them by other Government orders wherever necessary, and doing a considerable amount of other preparatory work. The position therefore is that the Rules have been in working operation for just over two years, and the intention of Government, as expressed in their order, being to review the matter after the Rules have been worked for 3 years, there now remains nearly one further year before a review should be made. Therefore Government considered it desirable that the Commissioner who had been in office during the first two years of the operation of the Rules should remain for a further year; and the proposed review will be held at or about the time when the 3 years expire, that is to say, about one year hence.

I am going to invite the opinion of members of this House, as I have invited the opinion of members of another House, with regard to what I consider as major amendments to the Rules, and to request them to send to me for perusal and recommendation or otherwise to Government their proposals for the modification of the Rules; so that the opinion of all representative persons in the country may be before Government for the purpose of that review.

LIBRARY ARCHIVES Kerala Legislative Assembly

I should like the members to bear that in mind, as I made a similar suggestion in this House last year with regard to minor amendments, but during the course of last year, I have received only one proposal from a member of this House with regard to amendments to the Rules. I hope that my invitation will not go unheeded. This time, if the members seriously consider that amendments to the Rules are desirable, perhaps they will let me have the benefit of their opinions in black and white.

Before, however, members make any proposal to me with regard to a Staff Selection or Advisory Board, I may inform them that the attitude of Government is against the appointment of a Board, for the following reasons. In the first place I assume that the object of appointing such a Board is to assist the Commissioner and I gather that is the real object of the proposal. It may be, however that there are members who consider that the Commissioner should be either obstructed or that he should be checked. If the object of members is to assist the Commissioner, then that object is already or will be fulfilled so far as feasible in the following ways. So far as the Civil Service Examination is concerned, that is, the examination for the Higher Division, there are proposals before Government which they are now considering, (not proposals made by me alone, but proposals made by a committee) that the conduct of the examinations for the Civil Service should be carried out by a board of 3 officers; so that, for all practical purposes, there will be a Staff Selection Board for recruitment in the Higher Division. If it is not already in existence, it is under contemplation. So far as the Intermediate Division is concerned it is my practice, in all cases of higher appointments where Ithink it desirable to have the assistance of technical officers, to invite the head of the department concerned to go through the applications with me and give me the benefit of his opinion. In other words, we together constitute an *ad hoe* Staff Selection Board. So far as the Lower Division is concerned, a Staff Selection or Advisory Board is entirely impracticable. I work on the rotation, and a Board consisting of 3 or even 30 members could not alter the rotation. The suggestion that a Staff Selection Board, which is to meet quarterly, should deal with Lower Division appointments is verging at least on the incredible when members consider that advices are given daily. Before attending this Council today I have replied to two requisitions, and when I leave this House this evening I expect to find many other advices for signature. If any sort of Staff Selection Board for these appointments is to be employed, the daily routine of my office will become impossible. Perhaps members do not realise that such Boards elsewhere do not deal, as I do, with the appointment of peons and other minor appointments.

LIBRARY ARCHIVES Kerala Legislative Assembly

[Dr. G. D. Nokes.]

That is one particular aspect of the situation. There is another of greater importance, and that is this: The object of appointing a Commissioner who is not a member of this country is to avoid as far as possible, communal friction. It is common knowledge that wherever you get a Committee I do not use the term "Staff Selection Board" or "Public Service Commission" as I have no wish to cast any reflection on institutions outside this State, I will therefore use the word "Committee" which is composed of members of different communities who have to decide communal matters there is a tendency to undesirable bargaining. This therefore involves a perpetuation of the communal tension which the Public Service Recruitment Rules and the appointment of a single commissioner were designed to avoid. Thus it seems that the appointment of a Staff Selection Board would only be perpetuating what we are trying to prevent.

There is one other matter which I wish to mention in this connection. The members who ask for a Staff Selection Board appear to advocate that it should be composed wholly or partly of non-officials. I know of no Staff Selection Board or Public Service Commission in India which is not composed entirely of officials. Government officials on such Boards ought to act as officials and not as representatives of their communities; but the public unfortunately will not believe this, and will attempt to bring pressure to bear upon them to act communally. So the result is that, whether the Board is composed of officials or non-officials, the communal element cannot be excluded.

Therefore this proposal is opposed on these grounds. First, in so far as an unofficial Board is proposed, there is no precedent for it elsewhere in India. Secondly, an unofficial or partly unofficial Board will involve the perpetuation of communal differences. And thirdly, so far as an official Board is necessary it exists or will shortly exist, and so far as it is not necessary, it is impracticable. In these circumstances I hope, in view of the reasons which I have enunciated to members that the proposal for a Staff Selection or Advisory Board will not reappear.

The general debate covers a wide area and involves a number of detailed matters. I wish to make a distinction, as I have made elsewhere, between two types of proposed amendments. There are major amendments affecting the frame work of the Rules, which involve something contrary to the G. O. passed in 1935, and there are minor amendments, many of which have already been passed. Before the review takes place it is not possible, feasible, or desirable, I think, to make any major amendments. The deputation which has been referred to, which was received by you, Sir, in another

LIBRARY ARCHIVES Kerala Legislative Assembly

capacity, proposed certain major amendments. I then pointed out that these should be deferred until the review, and this is the reason why action was not taken on those proposals as was mentioned at that time.

President : The honourable member has five minutes more.

Dr. G. D. Nokes : Yes, Sir. If members find that all their points are not dealt with, I must ask them to realise that this is not because I am unwilling to deal with them, but because the rules and procedure make this cause impossible. I will endeavour to deal with as many points as I can, as briefly as possible. Reference has been made to the power of appointing authorities. The recent Government Order on the point has concentrated the powers of appointment in the hands of the higher authorities. It makes easier and smoother the working of recruitment in practice.

From the suggestions that have been made with regard to the position of the unrepresented communities, it appears that the representatives of particular communities, to some extent, have been disappointed. The report of my department for 1112 relates to the first 11 months in which the Rules were in operation. It gives a list of vacancies and of selected candidates, showing the numbers from the unrepresented communities. In that short period the full number of candidates selected from the unrepresented communities had not been appointed as all the estimated vacancies had not arisen in the Intermediate Division. Since then those men have been appointed in the majority of cases. If the percentage fell slightly below 40, it was far the reason and because there were exceptions when there were no qualified candidates for some appointments. But taking the Rules as a whole and the appointments as a whole, it will be found that during 1113 the proportion of 60 to 40 has been observed in the Intermediate Division. I shall not be surprised to know (though the final figures are not yet ready) that in fact the unrepresented communities have obtained much more than 40 per cent. of the Intermediate Division appointments during 1113, because they had the right to be selected among the 60 per cent. also.

With regard to Proverthicars, the suggestion that Government have broken the promise made last year is a mistake. As the House knows Mr. George, the Land Revenue Commissioner, then promised to forward proposal to Government ; he did so ; and in fact a Government Order on this subject was passed some months ago. According to that Government Order, 10 Proverthicars should be recruited each year. I advertised for the first 5 for one half year some months ago. It is true that the result of the advertisement was disappointing. But Mr. Kuruvilla's suggestion that Government have broken their promise is erroneous.

LIBRARY ARCHIVES Kerala Legislative Assembly

[Dr. G. D. Nokes.]

The Vellala community is grouped under "other Caste Hindus" for the purpose of recruitement. It is not possible, therefore, to say whether the Rules worked for their benefit or not.

The question of under-graduates is not a matter with which I am concerned. The proportion of 1 to 3 relates to promotion. It is not a matter of recruitment.

The suggestion that a medical examination of candidates should be conducted is misconceived. In the case of selections for Police Constables and Excise peons, where physique is a qualification, those selected might in a few cases have been undersized, or in other cases might not have had the required physical qualification, when the appointing authorities had to reject them. But now that the staff of my office has been augmented, regular medical examinations of such candidates are arranged before advice on recruitment. In other cases it is the duty of the appointing authorities to satisfy themselves that the candidates are in good health before recruitment.

Mr. G. Narayana Aiyar: May I know whether the proportion now followed is based upon the number of qualified hands in any community or of the total population?

Dr. G. D. Nokes: The rotation is based, according to the Government Order, partly on numbers, irrespective of literacy, and the proportion in the Intermediate Division depends partly upon literacy.

I want to say a word with regard to women, who, it is suggested, should be treated as a separate community. The Recruitment Committee suggested that they should be considered as a separate community for appointments, but Government did not accept this recommendation. The rule will remain as it is unless the member who viewed this suggestion can convince Government that women form a separate community and are not parts of the communities of their small relatives.

I shall, in concluding, reiterate my invitation to members to send me suggestions with regard to major proposals. Let us hope that in the course of the coming year, when the Rules are reviewed, Government will have the assistance of these suggestions. Any difficulties felt by members to occur in the working of the Rules will receive serious consideration by Government.

The question that the demand be passed was, then, put and carried.

The motion was passed and the grant was made.

DEMAND XV—POLICE.

Mr. M. Ramachandra Rao: Sir, I rise to move for a grant not exceeding Rs. 7,54,824 under Demand XV—Police.

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